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Sheet 1

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known					
Application Number	10/051,662				
Filing Date	January 18, 2002				
First Named Inventor	Gustavo C. Rodriguez				
Art Unit	1614	_			
Examiner Name	Rebecca Cook				
Attorney Docket Number	31140B				

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2 (# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
W	<u> </u>	US- 5,798,345	08/25/1998	Knutson et al.	
i		<sup>US-</sup> 5,852,056	12/22/1998	Samid	
- i		US- 5,716,945	02/10/1998	Grue-Sorensen	
		<sup>US-</sup> 5,567,695	10/22/1996	Labrie	
		<sup>US-</sup> 5,565,439	10/15/1996	Piazza et al.	
		<sup>US-</sup> 5,545,634	08/13/1996	Labrie	
		US- 5,541,172	07/30/1996	Labrie et al.	
		US- 5,532,228	07/02/1996	Neef et al.	
		<sup>US-</sup> 5,434,146	07/18/1995	Labrie et al.	
		US- 5,362,720	11/08/1994	Labrie	
		<sup>US-</sup> 5,196,510	03/23/1993	Rodwell et al.	
· N		<sup>US-</sup> 5,115,096	05/19/1992	Shoyab et al.	
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		FORE	IGN PATENT DOCU	MENTS		
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Date Examiner Considered Signature

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	CRADES			Complete if Known		
Substitute for form 1449/PTO				Application Number	10/051,662	
INF	ORMATION	DIS	CLOSURE	Filing Date	January 18, 2002	
STA	TEMENT E	BY A	PPLICANT	First Named Inventor	Gustavo C. Rodriguez	
				Art Unit	1614	
(Use as many sheets as necessary)			ecess <i>ary)</i>	Examiner Name	Rebecca Cook	
Sheet	2	of	5	Attorney Docket Number	31140B	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
W		MUSS, H.B., et al., "High-dose progestin therapy for metastic breast cancer", Annals of Oncology 3:S15-S20 (1992)	
		VOGEL, CHARLES L., "Hormonal Approaches to Breast Cancer Treatment and Prevention: An Overview", Seminars in Oncology, Vol. 23, No. 4 Supp. 9, 2-9 (1996)	
	-	Locker, G.Y., "Hormonal therapy of breast cancer", Cancer Treatment Reviews 23:221-240 (1998)	
		MUSS, HYMAN B., et al., "Tamoxifen Versus High-Dose Oral Medroxyprogesterone Acetate as Initial Endocrine Therapy for Patients With Metastatic Breast Cancer: A Piedmont	
		(continued from above) "Oncology Associate Study", Journal of Clinical Oncology, Vol. 12 No. 8 (August), (1994)	
		LUNDGREN, S., "Progestins in Breast Cancer Treatment", ACTA ONCOLOGICA, Vo. 31 No. 7 709-722 (1992)	
	•	VINK-VAN WIJNGAARDEN, T., et al. "Inhibition of Breast Cancer Cell Growth by Combined Treatment with Vitamin D3 Analogues and Tamoxifen" Cancer Research 54:711-5717, 11/1/1994	
		CHRISTAKOS, S., "Vitamin D and Breast Cancer", Diet and Breast Cancer, Chapter 12, 115-118 (1994)	
		BEER MD, T. et al., "A Phase I trial of pulse calcitriol in patients with refractory malignancies Pulse dosing permits substantial dose escalation", Cancer Vol. 91, Issue 12	
N		(Continued from above) Pages 2431-2439 (June 15, 2001)	

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Substitute for to AD 534 10				Application Number	10/051,662	
INFO	ORMATIO	N DIS	CLOSURE	Filing Date	January 18, 2002	
	STATEMENT BY APPLICANT			First Named Inventor	Gustavo C. Rodriguez	
				Art Unit	1614	
(Use as many sheets as necessary)			ecessary)	Examiner Name	Rebecca Cook	
Sheet	3	of	5	Attorney Docket Number	31140B	

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A GILL, P.G. et al., tamoxifen pus me		GILL, P.G. et al., "Randomzied comparison of the efects of tamoxifen, megestrol acetate, or tamoxifen pus megestrol acetate on treatment response and survival in patients	
		(Continued from above) with metastatic breast cancer", Annals of Oncology741-744 (1993)	
		BOWER, M., et al., "Topical calcipotriol treatmet in advanced breast cancer", The Lancet, Vol. 337 (March 23, 1991)	
		GULLIFORD, T. et al., "A phase I study of the vitamin D analogue EB 1089 in patients with advanced breast and colorectal cancer", British Journal of Cancer, 6-13, (1998)	
		KANDOUZ, M. et al., "ANTAGONISM BETWEEN ESTRADIOL AND PROGESTIN ON BCL-2 EXPRESSION IN BREAST-CANCER CELLS, Int. J. Cancer: 68, 120-125 (1996)	
		Vogel, C., "Update on the current use of hormonals as therapy in advanced breast cancer", Use of hormonals in advanced breast cancer, Anti-Cancer Drugs, 14:265-273 (2003)	
		BEAT, T., "Anastrozole versus progestin/tamoxifen", European Journal of Cancer 38 Supplement 6, S49-S51 (2002)	
	_	BURAS, R. et al., "Vitamin D receptors in breast cancer cells", Breast Cancer Research and Treatment 31:191-202, (1994)	
		LOVE-SCHIMENTI, C. et al., "Antiestrogen Potentiation of Antiproliferative Effects of Vitamin D3 Analogues in Breast Cancer Cells 1", Cancer Research 56, 2789-2794 (6/15/96)	
N		Smith, D., et al., "A Phase I Trial of Calcitriol (1,25-Dihydroxycholecalciferol) in Patients with Advanced Malignancy1", Clinical Cancer Research, Vol. 5, 1339-1345, (6/1999)	

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE ation Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete If Known n for form 1449 Substitut **Application Number** 10/051,662 **Filing Date** INFORMATION DISCLOSURE January 18, 2002 STATEMENT BY APPLICANT **First Named Inventor** Gustavo C. Rodriguez Art Unit 1614 (Use as many sheets as necessary) **Examiner Name** Rebecca Cook **Attorney Docket Number** 31140B Sheet of 5

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
W		SPEROFF MD, L., "The Risk of Breast Cancer Associated with Oral Contraception and Hormone Replacement Therapy", Women's Health, Vol. 2, 63-74, (1992)	
		JAMES, S. et al., "Effects of a new synthetic vitamin D analogue, EB 1089, on the oestrogen-responsive growth of human breast cancer cells", Journal of Endoctrinolgy,	
		(Continued from above) 141, 555-563, (1994)	
		MILLER, W. et al., "Anti-tumor Effects of Letrozole", Cancer Investigation, Vol. 20, Suppl. 2 pp. 15-21, (2002)	
		BLAND MD, K., et al., "Current Status of Endocrine Therapy for Advanced Breast Cancer", Ann Surg. Oncol., Vol. 6, No. 8, 4S-7S, (1999)	
		BEER, T. et al., "Beer Abstract" (2002)	
		Mathiasen, I. et al., "EB 1089, A NOVEL VITAMIN D ANALOGUE, HAS STRONG ANTIPROLIFERATIVE AND DIFFERENTIATION INDUCING EFFECTS ON CANCER CELLS", J. Steroid Biochem. Molec.	
		(Continued from above) Biol. Vol. 46, No. 3, pp. 365-371, (1993)	
		KAUFMANN, M., "A Review of Endocrine Options for the Treatment of Advanced Breast Cancer", Oncology 1997; 54 (suppl 2):2-5	
~		HOLICK, M., "Evolutionary Biology and Pathology of Vitamin D", 79-83 Symposium Vitamin D, (2), 1990	

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U		JENG, M-H, et al., "Estrogenic Potential of Progestins in Oral Contraceptives to Stimulate Human Breast Cancer Cell Proliferation1", Cancer Research 52, 6539-6546, (12/1/92)	
N	(	SHABAHANG, M. et al., "1-25 Dihydroxyvitamin D3 Receptor as a Marker of Human Colon Carcinoma Cell Line Differentiation and Growth Inhibition", Cancer Research 53, 3712-3718	
		(Continued from above) (Augst 15, 1993)	
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